

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

CARA ROWLAND,)	
)	
Plaintiff,)	Civil Action No. 22-1495
)	
v.)	Judge Cathy Bissoon
)	Magistrate Judge Patricia L. Dodge
HELEN OF TROY LTD.,)	
)	
Defendant.)	

MEMORANDUM ORDER

This case has been referred to United States Magistrate Judge Patricia L. Dodge for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. §§ 636(b)(1)(A) and (B), and Local Rule of Civil Procedure 72.

On December 27, 2022, the Magistrate Judge issued a Report (Doc. 26) recommending that Plaintiff's Motion to Remand (Doc. 13) be granted, and Defendant's Motion to Dismiss (Doc. 9) be denied as moot. Service of the Report and Recommendation ("R&R") was made on the parties, and Defendant has filed Objections. Doc. 29.

Having carefully considered the Objections, the Court finds Defendant's arguments to be unpersuasive, and they are overruled. In addition, the undersigned hereby acknowledges, and incorporates by reference, the well-reasoned decision of District Judge Marilyn J. Horan in the materially analogous case of Zortea v. Costco Wholesale Corp., Civil Action No. 22-1316 (W.D. Pa. Feb. 13, 2023). In particular, the Court emphasizes Judge Horan's analyses regarding "cognizability." *See* Doc. 33 in 22-1316, at 7-10.

Thus, after a *de novo* review of the pleadings and documents in the case, together with the Report and Recommendation and the Objections thereto, it hereby is ORDERED that:

Plaintiff's Motion to Remand (**Doc. 13**) is **GRANTED**; Defendant's Motion to Dismiss (**Doc. 9**) is **DENIED AS MOOT**, without prejudice to refiling in state court; this case is **REMANDED FORTHWITH** to the Court of Pleas of Allegheny County (GD 22-011653); and the R&R (Doc. 26) is adopted as the Opinion of the District Court, as supplemented herein.

IT IS SO ORDERED.

February 14, 2023

s\Cathy Bissoon

Cathy Bissoon

United States District Judge

cc (via ECF email notification):

All Counsel of Record